

**Insurance Department
Review Requirements Checklist**

Workers' Compensation

REVIEW REQUIREMENTS	REFERENCE	COMMENTS
FORMS		
Applications		
	MCLA 500.2236(5)	Upon written notice to the insurer, the commissioner may disapprove, withdraw approval or prohibit the issuance, advertising or delivery of any form to any person in this state if it violates any provisions of this act, or contains inconsistent, ambiguous or misleading clauses, or contains exceptions and conditions that unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the policy.
Arbitration		
	MCLA 500.2254	No provision, rule, or by-law shall be valid which bars any suit in any court in this state provided that any reasonable remedy for adjudicating claims established by the company has first been exhausted by the claimant before commencing suit.
Bankruptcy Provision		
Required	MCLA 500.3004	No policy shall be issued unless it contains provisions as required in sections 3006.
Protects Insured	MCLA 500.3006	Insolvency or bankruptcy of the insured shall not release the insurer from payment of damages
Cancellation & Nonrenewal		
Required	MCLA 418.621(4)(g)	20 days notice
Filing Standards		
Readability	MCLA 500.2236(1)	Not less than 8 point type.
Deemed Status	MCLA 500.2236(1)	Failure of the commissioner to act within 30 days after submittal constitutes approval.
Exempt	Bulletin 97-03	Insurers must maintain a list of exempt forms.
Statutory Benefits	MCLA 418.621(4)	Policies must contain statutory medical and work loss benefits.
Liberalization Clause		
	None	N/A
Notice of Claim		
Required	MCLA 500.3004	No policy shall be issued unless it contains provisions as required in section 3008.
Notice Requirements	MCLA 500.3008	There shall be a provision that notice given by or on behalf of the insured to any authorized agent of the insurer shall be deemed to be notice to the insurer; also a provision that failure to give any notice required to be given by such policy within the time specified shall not invalidate any claim made if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible.
Loss Settlement		
Notice of Loss Settlement	MCLA 500.2204	The insurer must give the insured a notice of settlement at least 10 days prior to the settlement.

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RATING		
Pricing		
Ratemaking Standards	MCLA 500.2403(1)(d)	Rates shall not be excessive, inadequate, or unfairly discriminatory.
Single Enterprise Rule Prohibited	MCLA 500.2411(4)	The single enterprise rule or similar rule requiring a worker's compensation insured to be classified according to the entire business in which the insured is engaged shall not be used.
Rating Plan Requirements		
Merit Rating Plans	MCLA 500.2411(3)	Each insurer shall establish a merit rating plan for worker's compensation insurance whereby an insured's premium is modified either prospectively or retrospectively.
Risk Modification	Bulletin 2000-04	+/- 25% maximum for schedule rating type plans.
General Filing References		
Rules and Rates	MCLA 500.2406(3)	For worker's compensation insurance in this state the insurer shall file with the commissioner all rates and rating systems. Every insurer that insures worker's compensation in this state on the effective date of this subsection shall file the rates not later than the effective date of this subsection.
File and Use	MCLA 500.2406(4)	Rates are required to be filed on a file and use basis.

“The Michigan Office of Financial and Insurance Services (OFIS) website <http://www.cis.state.mi.us/ofis/> has links to the statutes, bulletins, and administrative rules referenced in the filing requirements checklists. The OFIS Securities and Insurance Offerings Division will be able to provide additional information if necessary. Our toll free number is (877) 999-6442. Written inquiries should be addressed to Michigan Office of Financial and Insurance Services, Securities and Insurance Offerings Division, 611 W. Ottawa, Lansing MI, 48933.